

**IN THE SPECIFICATION:**

The specification as amended below with replacement paragraphs shows added text with underlining and deleted text with ~~strikethrough~~.

Please REPLACE the title with the following title: "ENCODING APPARATUS AND METHOD, AND DECODING ~~DECODING~~-APPARATUS AND METHOD FOR ERROR CORRECTION"

**IN THE DRAWINGS:**

The attached replacement sheets include changes to FIGs. 1, 2, and 3. The replacement sheet containing FIGs. 1, 2, and 3 replace the original sheets including FIGs. 1, 2, and 3. In the replacement sheet labeled FIG. 1, we changed "first soft encoder 132" to "first soft decoder 132," and "second soft encoder 133" to "second soft decoder 133." In the replacement sheet labeled FIG. 2, we changed "first soft encoder 232" to "first soft decoder 232," and second soft encoder 234" to "second soft decoder 234." In the replacement sheet labeled FIG. 3, we changed "first soft encoder 332" to "first soft decoder 332" and "second soft encoder 334" to second soft decoder 334."

Support for the replacement sheet labeled FIG. 1 can be found at page 6, paragraph [0028]. Support for the replacement sheet labeled FIG. 2 can be found at page 7, paragraph [0033]. Support for the replacement sheet labeled FIG. 3 can be found at page 8, paragraph [0037].

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

Applicants provisionally elect **Group II, claims 7-12, 28-33 and 44** in response to the preliminary restriction requirement set forth in the Office Action.

II. The Group III Claims Are Directed Towards Statutory Subject Matter

It is respectfully submitted that the Examiner is incorrect in arguing that the Group III claims are directed towards nonstatutory subject matter. The Examiner argues that "claims 13-21, 34-42 and 45 are drawn to non-statutory subject matter a transmission channel," and since "paragraph [0003] on page 1 teaches that a transmission channel can be a spatial medium, which is non-statutory since it is a natural phenomena," the Group III claims are drawn to non-